

City of Memphis Section 16-91.4. Prevention of Accidental Releases
(Shelby County Section 3-38. Prevention of Accidental Releases)

For the purpose of enforcement of prevention of accidental releases, Chapter 1200-3-32 of the Tennessee Air Pollution Control Regulations, as effective on January 1, 1998, is hereby adopted by reference as a portion of this Code. Such regulations and/or all such additions, deletions, changes and amendments as may subsequently be made shall become a part of this code and shall have the same effect as if set out in full herein.

(City of Memphis Ord. No. 4320, effective 6-7-95; Shelby County Ord. No. 159, effective 5-14-95. Amended by City of Memphis Ord. No. 4636, effective 1-7-99; amended by Shelby County Ord. No. 203, effective 9-18-98. Pursuant to T.C.A. 68-201-115.)

RULES
OF THE
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
BUREAU OF ENVIRONMENT
DIVISION OF AIR POLLUTION CONTROL

CHAPTER 1200-3-32

PREVENTION OF ACCIDENTAL RELEASES

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1200-3-32-.01 PURPOSE AND INTENT.

- (1) It is the objective of this chapter to prevent the accidental release and to minimize the consequences of any such release of any substance listed pursuant to this chapter. These substances have been determined by the Board to be potentially hazardous to the public if accidentally released into the ambient air. The general intent of these rules is to correspond to the federal regulations promulgated under Section 112(r) of the Clean Air Act (42 U.S.C. 7401 et seq.)

Authority: T.C.A. §§68-201-105 and 4-5-202. Original rule filed July 7, 1994; effective September 20, 1994.

1200-3-32-.02 DEFINITIONS.

- (1) "Federal Clean Air Act" means the Clean Air Act, as amended, 42 U.S.C. 7401, et seq. as amended by Public Law No. 101-549 (November 15, 1990).

Authority: T.C.A. §§68-201-105 and 4-5-202. Original rule filed July 7, 1994; effective September 20, 1994.

- (1) Sources which are subject to the provisions of Section 112(r) of the federal Clean Air Act or any federal regulations promulgated thereunder, must file a copy of any plan or submittal required therein with the Technical Secretary.
If such a source is subject to the permitting requirements of Paragraph 1200-3-9-.02(11) and has failed to timely file their plan with the United States Environmental Protection Agency, the Technical Secretary shall place them on a schedule of compliance to develop and file the plan. The schedule of compliance shall be placed on the source's operating permit consistent with the provisions of Subpart 1200-3-9-.02(11)(e)3(iii).
- (2) The Technical Secretary is specifically authorized to request information from sources for the purpose of determining whether or not they are subject to Section 112(r) of the federal Clean Air Act or any federal regulations promulgated thereunder.
- (3) Sources that have filed an accidental release plan shall annually certify in writing to the Technical Secretary that they are properly following their accidental release plan. The annual certification is due in the office of the Technical Secretary no later than January 31 of each year. Said certification will be for the preceding calendar year.

Authority: T.C.A. §§68-201-105 and 4-5-202. Original rule filed July 7, 1994; effective September 20, 1994.

